

UTILITY PATENT APPLICATION TRANSMITTAL

(CONTINUING APPLICATION)

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

53635-0517

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of () application identifier or (X) first named inventor, Maclen MARVIT, et al.,
entitled CONTROLLING AND TRACKING ACCESS TO DISSEMINATED INFORMATION for a(n):

() Original Patent Application.

(X) Continuing Application (prior application not abandoned):

(X) Continuation () Divisional () Continuation-in-part (CIP)

of prior application No: 09/300,085 Filed on: April 26, 1999.

(X) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

(X) Specification: 63 Total Pages; (X) Drawing(s): 18 Total Sheets.

(X) Oath or Declaration:

() A Newly Executed Combined Declaration and Power of Attorney:

() Signed.

() Unsigned.

() Partially Signed.

(X) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

(X) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference in its entirety for all purposes.

() Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

() Power of Attorney.

(X) Return Receipt Postcard.

() Associate Power of Attorney.

(X) A Check in the amount of \$ 1,578.00 for the Filing Fee.

() Preliminary Amendment.

() Information Disclosure Statement and Form PTO-1449.

(X) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)

(X) A Duplicate Copy of this Form for Processing Fee.

() A Certified Copy of Priority Documents (if foreign priority is claimed).

() Applicant(s) is entitled to small entity status. See 37 CFR 1.27.

() Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.

() Other: _____

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	66	46	\$18.00	\$ 828.00
Independent Claims	3	0	\$84.00	\$ 0.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$0.00
Basic Filing Fee				\$750.00
Total Filing Fee				\$1,578.00

Charge \$ _____ to Deposit Account _____ pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to above deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: _____

Edward A. Becker, Attorney of Record, Reg. No. 37,777

Date: September 4, 2003

Correspondence Address:



29989

PATENT TRADEMARK OFFICE

Express Mail Label No.: EV322192708US

Date of Deposit: September 4, 2003

22240 U.S. PTO
10/655680
09/04/03

Docket No. 53635-0517

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	Group Art Unit: n/a
)	
MacIen MARVIT, et al.)	Examiner: n/a
)	
Application No. Filed Herewith)	
)	
Filed: Herewith)	

For: CONTROLLING AND TRACKING ACCESS TO DISSEMINATED INFORMATION

Mail Stop Patent Application
P. O. Box 1450
Alexandria, VA 22313-1450

REMARKS ACCOMPANYING FILING OF CONTINUATION APPLICATION

Sir:

Prior to the examination of the continuation application referenced above, please consider the remarks provided hereinafter.

During the prosecution of the parent application of the present application, Claims 1-10, 12, 13, 15, 22-33, 35, 36, 38, 45-56, 58, 59 and 61-63 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Matsumoto*, U.S. Patent No. 6,215,877 in view of *Boneh, et al.*, "A Revocable Backup System," USENIX Security Conference, pp. 98-98, 1996 (hereinafter "*Boneh*"). Although the claims in the present application are not identical to the claims in the parent application that were the subject of this rejection, the claims in the present application contain limitations that are similar to the limitations of the claims in the parent application. Therefore, in the interest of furthering the prosecution of the present application, the following remarks are provided distinguishing the claims of the present application over *Matsumoto* and *Boneh*.

In support of the rejection of the claims in the parent application, *Matsumoto* was relied upon for teaching all of the limitations except for the step of “deleting the key based upon specified key policy criteria.” *Boneh* was relied upon for this limitation.

In the present application, Claim 1 recites “[a] method for managing access to messages in a network” that requires the steps of:

“receiving, from a first node in the network, a request for both a message identifier that uniquely identifies the message and a key that may be used to encode the message;
generating, in response to receiving the request, both the message identifier and the key;
providing both the message identifier and the key to the first node to allow the message to be encoded with the key to generate an encoded message;
receiving, from a second node in the network, a request for the key;
providing the key to the second node to allow the encoded message to be decoded and the message to be retrieved using the key; and
managing access to the key based upon specified key policy criteria.”

Claim 1 is different than *Matsumoto* in that Claim 1 uses message-level encryption, while the system of *Matsumoto* uses channel-level encryption. Furthermore, the specific steps required by Claim 1 are not taught by *Matsumoto*. For example, Claim 1 requires “generating, in response to receiving the request, both the message identifier and the key” and “providing both the message identifier and the key to the first node to allow the message to be encoded with the key to generate an encoded message.” *Matsumoto* describes generating and distributing channel secret keys that are unique to each channel so that multiple clients may participate in secure communications. There is, however, no mention or suggestion in *Matsumoto* of performing the aforementioned message-specific steps. *Boneh* also does not teach or suggest the message-level encryption steps recited in Claim 1. In view of the foregoing, it is therefore respectfully submitted that Claim 1 contains one or more limitations that are not taught by *Matsumoto* and *Boneh*, alone or in combination, and is therefore patentable over *Matsumoto* and *Boneh*.

Claims 2-22 depend from Claim 1 and include all of the limitations of Claim 1. It is therefore respectfully submitted that Claims 2-22 are patentable over *Matsumoto* and *Boneh* for at least the reasons set forth herein with respect to Claim 1.

Claims 23-44 recite limitations similar to Claims 1-22, except in the context of computer-readable media. It is therefore respectfully submitted that Claims 23-44 are patentable over *Matsumoto* and *Boneh* for at least the reasons set forth herein with respect to Claims 1-22.

Claims 45-66 recite limitations similar to Claims 1-22, except in the context of apparatti. It is therefore respectfully submitted that Claims 45-66 are patentable over *Matsumoto* and *Boneh* for at least the reasons set forth herein with respect to Claims 1-22.

It is respectfully submitted that all of the pending claims are in condition for allowance and the issuance of a notice of allowance is respectfully requested. If there are any additional charges, please charge them to Deposit Account No. 50-1302.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that such contact would be helpful in furthering the prosecution of this application.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP



Edward A. Becker

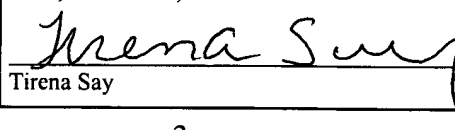
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Express Mail" mailing label number EV322192708US Date of Deposit: September 4, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Tirenna Say

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Maclen MARVIT, et al.
	Title	CONTROLLING AND TRACKING ACCESS TO DISSEMINATED INFORMATION
	Atty. Docket Number	53635-0517

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

September 4, 2003
Date



Signature

Edward A. Becker (Reg. No. 37,777)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop ___, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450